

ST. OLAF HONOR COUNCIL

Constitution

March 13, 2003

Amended May 13, 2010

Amended September 1, 2016

Amended April 22, 2022

I. Name The student body charged with adjudicating allegations of academic dishonesty on examinations shall be called the St. Olaf College Honor Council (“Honor Council”).

II. Definitions

1. *Primary Jurisdiction* refers to having sole authority over the investigation and adjudication processes, including the determination of responsibility and the assessment of sanctions, until the appeals process begins.
2. *Academic Dishonesty* refers to any behavior at any time that results in, or is expected to result in, any unfair advantage in the taking or evaluation of an examination. Academic dishonesty encompasses but is not limited to: unauthorized use, plagiarism, falsification, fabrication, multiple submission, and complicity.
3. *Test Etiquette* refers to actions taken by the student to ensure an equitable and respectful testing environment, including eliminating all opportunities for distractions and taking care to avoid potential suspicion of academic dishonesty.

III. Jurisdiction

1. The Honor Council exists at the pleasure of both the St. Olaf Student Body and the Faculty of the College.
2. The Honor Council shall have primary jurisdiction over all allegations of academic dishonesty and test etiquette violations arising from class examinations.
 - a. Sanctions for academic dishonesty and test etiquette violations may include, but are not limited to, score or grade adjustments and recommendations for suspension or expulsion from the College.
 - b. The final decision on all recommendations for suspension or expulsion shall be made by the President of the College or the President’s designee.
3. Honor Council decisions shall be reviewable through an appeals process determined by the College.

IV. Membership

1. Roster

- a. The Honor Council shall have thirteen members during the Fall Semester: five seniors, five juniors, and three sophomores.
- b. At the beginning of each January Interim, a first year student shall join the Honor Council, bringing the January Interim and Spring Semester membership to fourteen members.

2. Duties of Membership Members of the Honor Council shall:

- a. Regularly attend meetings of the Honor Council.
- b. Perform investigatory and administrative duties as directed by Honor Council procedures and the Honor Council officers.
- c. Act in a manner which reasonably protects the confidentiality of all parties participating in Honor Council matters to the extent such efforts do not interfere with an accused student's right to a fair and impartial process.
- d. Conduct themselves in an impartial and professional manner whenever transacting Honor Council business.
- e. Recuse themselves from all Honor Council matters in which a personal or professional conflict of interest may exist or appear to exist.
- f. Be required to meet with appropriate members of the College administration to discuss the Honor System and the role and importance of personal integrity.
- g. Act in a matter which, at all times, upholds the Honor System and demonstrates academic integrity and honesty. Members found responsible for academic dishonesty violations shall be removed from the Honor Council immediately following an adjudication of responsibility and, if applicable, any unsuccessful appeal.

3. Elections

- a. All elections, regular or otherwise, shall be decided by a majority vote. Only students who are members of the same class as a candidate may vote for that candidate.
- b. Any student found responsible for an academic dishonesty violation shall be ineligible to participate as a candidate in any election for membership on the Honor Council.
- c. *Regular Elections*
 - i. Two rising sophomores and two rising juniors shall be elected in April each year, taking office and becoming members of the Honor Council at the start of the following Fall Semester.
 - ii. One first year student shall be elected in November each year, taking office and becoming a member of the Honor Council at the beginning of the January Interim.

- d. General Elections*
 - i. In the event that the number of candidates (x) exceeds the number of available positions (n) by two or more ($x \geq n+2$) in any election, the appropriate officer shall organize a primary election. Candidates receiving the largest plurality vote in this primary election, up to one more than the number of positions (n+1), shall participate in a general election to determine the winning candidates.
 - e. Special Elections*
 - i. If any vacancies exist or presidential appointments are in effect at the time of a regular election, a special election shall be held, coincident with the regular election, to fill the aforementioned positions.
 - ii. Candidates in special elections must be from the class represented by the vacancy or temporary appointment.
4. **Term of Office** Each member of the Honor Council shall serve until the commencement ceremony of the class represented by the member.
5. **Leaves of Absence** Honor Council members who are temporarily unable to perform their duties may request a leave of absence, not to exceed one academic term plus an Interim. The granting of such a leave shall be at the sole discretion of the Honor Council President. If granted, the President shall appoint a student from the same class as the person on leave to serve for the period of the leave, at their discretion.
6. **Resignation** In the event a member resigns from the Honor Council, the President of the Honor Council shall appoint a replacement from the same class as the resigned. The appointment shall remain in effect until the next scheduled regular election.
7. **Removal** Members of the Honor Council may be removed for failure to fulfill the duties of office or upon a finding that the member is found responsible for an academic dishonesty violation. Upon the filing of a petition signed by three members of the Honor Council including a detailed description of the grounds for removal, a meeting of the Honor Council shall be called for the purpose of acting upon the petition. With a two-thirds vote of the Honor Council members present, the subject of the petition shall be removed from the Honor Council and will be ineligible to run again.

V. Leadership

1. The officers of the Honor Council shall be:
 - a. **The President** shall be the chief operating officer of the Honor Council whose primary responsibilities are to assure the smooth operation of the Honor Council and to represent the Honor Council to the wider campus community.
 - b. **The Vice President** shall serve as acting President in the absence of the President and shall also be responsible for managing elections of Honor Council members.
 - c. **The Secretary** shall maintain all records of Honor Council proceedings.

2. Officers shall be elected in April preceding the academic year in which they are to serve.
 - a. All members of the Honor Council serving at the time of the election may vote, including graduating seniors.
 - b. All offices shall be filled by majority vote of the entire Honor Council.
 - c. The Honor Council Faculty Advisor shall facilitate officer elections.
3. Officers shall serve a term of one year, beginning with the commencement ceremony immediately following their election and ending with the next year's commencement ceremony.
4. An officer may be removed from office by a majority vote of the entire Honor Council.

VI. The Honor Council Faculty Advisor

1. The Faculty of the College shall elect a Faculty Advisor to the Honor Council to serve for a three-year term of office.
2. The Faculty Advisor shall be a full member of the Honor Council without the ability to vote in any matter coming before the Honor Council.
3. The Faculty Advisor shall receive notices of all meetings and hearings and may fully participate in all aspects besides voting.
4. The Faculty Advisor shall act as a liaison between the Honor Council and the College Faculty.

VII. The Pledge

1. Every examination given at St. Olaf shall be completed under the purview of the Honor Council as indicated by the following pledge:
 - a. ***"I pledge my honor that on this examination I have neither given nor received assistance not explicitly approved by the professor and that I have seen no dishonest work."***
2. All examinations shall be required to include the aforementioned pledge. Following this pledge, students shall be provided the option to either sign the pledge or check:
 - a. ***"I have intentionally not signed the pledge."***

VIII. Honor Council Process The Honor Council shall detail a process to be used in investigating and adjudicating allegations of Honor System violations. Proceedings of the Honor Council shall be closed to the general community.

1. **Objective** While investigating and adjudicating alleged Honor System violations, the primary objectives of the Honor Council shall be: (1) to conduct a fair, impartial, and thorough review of the relevant facts; (2) to provide accused students a full and fair opportunity to respond to the allegations made against them; and (3) to preserve the confidentiality of all parties involved in such matters to the extent possible.
2. **Authorization** The Honor Council adjudication process shall be authorized by the Honor Council President whenever the Honor Council President determines that credible evidence exists that an Honor System violation may have occurred.

3. **Quorum** While a lesser number of members may conduct investigative meetings and other preliminary measures on behalf of the Honor Council, a quorum consisting of five student members will be required at any meeting at which the Honor Council deliberates and votes to make a final determination on responsibility and sanctions for an Honor System violation.
4. **Findings** A majority vote of those present and voting is necessary to find responsibility for an Honor System violation. A majority vote is also required to impose a sanction.
5. **Level of Proof** In determining responsibility for an Honor System violation, a preponderance of the evidence shall be required.
6. **Communication** The Honor Council will communicate findings to the course faculty member in a timely manner.

IX. Guaranteed Rights

1. Rights of All Parties

- a. All reasonable steps will be taken to maintain the confidentiality of all parties throughout the investigation and adjudication processes.
 - i. With the exception of those authorized under the Family Educational Rights and Privacy Act (FERPA), the identity of any parties will not be shared with others outside the Honor Council without the permission of the party or witness, a lawfully issued subpoena, court order, or administrative order.
- b. All parties shall have access to an impartial Honor Code Guide to help in preparation before a meeting with the Honor Council.

2. Rights of Implicated Students

- a. Implicated students shall be presumed not responsible for any Honor System violation absent a preponderance of evidence demonstrating, in the view of the majority of members of the Honor Council present and voting, that it is more likely than not that the student is responsible for violating the Honor System.
- b. Implicated students shall receive a notification of the allegations against them in advance of any investigation to allow time to prepare a response to the allegations. If the implicated student fails to participate in an investigation, the Honor Council may proceed with its consideration of the matter.
 - i. The notification of an implication shall contain sufficient information for the implicated student to have a general understanding of the nature of the possible Honor System violation in advance of any investigation or adjudication.
- c. Implicated students may suggest witnesses to be interviewed. The President, or a designee, will determine which, if any, of these witnesses will be heard.
- d. The implicated student may invite one person to attend any meeting with the Honor Council at which the implicated student is present to provide support. This supporting individual may not address the Honor Council or interfere with the hearing in any way.

X. Responsibility Responsibility determinations in all Honor Council matters shall be determined on the basis of the following tiered model:

1. *Not Responsible*
 - a. This outcome shall be adjudicated in the event that the simple majority of the Honor Council present at adjudication votes to find the student not responsible for any form of academic dishonesty or violation of test etiquette as defined by the Constitution.
 - b. Students are found not responsible when the Honor Council determines that there is insufficient evidence that a violation occurred.
2. *Test Etiquette Violations*
 - a. This outcome shall be adjudicated in the event that the simple majority of the Honor Council present at adjudication votes to find the student responsible for a Test Etiquette Violation.
 - b. Test Etiquette Violations occur when a student does not abide by the test etiquette guidelines outlined in Honor Council policy with regard to establishing a respectful and equitable testing environment for all students during examinations or other assessments.
3. *Honor Code Infractions*
 - a. This outcome shall be adjudicated in the event that the simple majority of the Honor Council present at adjudication votes to find the student responsible for an Honor Code Infraction.
 - b. Honor Code Infractions occur when the simple majority of the Council present at adjudication determines that the evidence and testimony presented indicates that the student more likely than not violated the Honor Code but deems that mitigating circumstances negate the efficacy of the addition of this violation to the student's disciplinary record.
4. *Honor Code Violations*
 - a. This outcome shall be adjudicated in the event that the simple majority of the Honor Council present at adjudication votes to find the student responsible for an Honor Code Violation.
 - b. Honor Code Violations occur when the simple majority of the Council present at adjudication determines that the evidence and testimony considered indicates that the student is definitively responsible for an Honor Code Violation, supported by a clear preponderance of evidence.
 - c. The Council will be required to establish an indication of the investigation and adjudication process in the student's disciplinary record for Honor Code Violations.

XI. Records

1. All evidence, testimony, and other documentation collected throughout the course of the investigation and adjudication processes shall be retained internally in accordance with the College's document retention policies. Information in these records will be confidential and used only for the purposes of the Honor Council and the Dean of Students Office.
2. All students found responsible for Honor Code Violations, in addition to any students found responsible for record-bearing variations of Test Etiquette Violations and Honor Code Infractions, will additionally incur a formal disciplinary record including, but not limited to, the student's name, class of implication, penalty assessed, the cumulative investigative report associated with their case, and any accompanying documentation for a period of seven years after their graduation.
3. The College releases information in student files to outside sources only with the prior written permission of the student or in response to a lawfully issues subpoena, court order, or administrative order.

XII. Faculty Responsibilities: All members of the faculty have the following responsibilities with respect to the St. Olaf Honor System. Failure to follow these responsibilities will not necessarily exempt a student in violation of the Honor System from penalties assessed by the Honor Council or other designated College officials.

1. Include the pledge as aforementioned on all relevant academic work, regardless of length or means of administration.
2. Remind students of the pledge when distributing relevant academic work.
3. Take measures to ensure that the Honor System is followed.
4. Check for and report potential violations, whether student or professor implicated, to the Honor Council.
5. Handle all information confidentially.
6. Grade all examinations as if no violation has occurred.
 - a. If the implication necessitates retaining original copies of student work, such is the case when eraser marks or other physical modifications are relevant, professors must provide photocopies of student work to students, retaining the original work for the duration of the investigation and adjudication processes.
 - b. If the implication does not necessitate retaining the original copies of the work as aforementioned, the faculty member may return all original work to students, ensuring to retain photocopies of the work of the students involved for use by the Honor Council.
7. Do not confront implicated students prior to the conclusion of the adjudication process. If approached, direct all questions toward the Honor Council or Honor Code Guides until after the case is resolved.
8. Make yourself available in a timely manner to the Honor Council when a case is in progress.
9. Assess penalties as directed by the Honor Council.

XIII. Bylaws The Honor Council may establish and amend, by simple majority vote at any meeting, bylaws to govern Honor Council procedures and all matters not specifically addressed by this constitution. These by-laws must be consistent with this constitution in all respects.

XIV. Amendments Proposed amendments to this constitution, indicating the exact wording of the proposed change(s), will be reviewed by a committee chaired by the Honor Council President and including representation from the Honor Council, Student Senate, and Faculty of the College. Final proposals must be approved by a simple majority of those voting in each of three constituencies: the Honor Council, the Student Body, and the Faculty of the College.